

**(1) First and Final Account and Report of Successor Administrator and (2) Allowing Ordinary and Extraordinary Commissions, Fees and Costs and for (3) Final Distribution of Insolvent Estate**

<b>DOD: 10/24/2007</b>			<b>PUBLIC ADMINISTRATOR</b> , Successor Administrator, is petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need proof of service of the Notice of Hearing along with a copy of the Petition on Darlene Azevedo Kelly of Caswell, Bell & Hillison, LLP pursuant to the Request for Special Notice filed on 7/6/12.
			Account period: 6/5/12 – 2/27/13		
<b>Cont. from</b>			Accounting - <b>\$100,000.00</b>		
	<b>Aff.Sub.Wit.</b>		Beginning POH - <b>\$100,000.00</b>		
✓	<b>Verified</b>		Ending POH - <b>\$ 8,045.86</b>		
✓	<b>Inventory</b>		Administrator (statutory) - <b>\$1,640.00</b>		
✓	<b>PTC</b>		Attorney X/O - <b>\$1,248.00</b>		
✓	<b>Not.Cred.</b>		(preparation of taxes and sale of real property)		
✓	<b>Notice of Hrg</b>				
✓	<b>Aff.Mail</b>	W/	Attorney (statutory) - <b>\$1,640.00</b>		
	<b>Aff.Pub.</b>				
	<b>Sp.Ntc.</b>		Bond - <b>\$187.50</b> (o.k.)		
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>		Court fees (certified copies) - <b>\$25.50</b>		
✓	<b>Letters</b>	6/14/12	Petitioner states the estate is insolvent.		
	<b>Duties/Supp</b>		The remaining property on hand, after payment of costs of administration, would be paid to Michele Brown, in sum of \$2,869.86 partial payment of her creditor's claim for the decedent's funeral expenses.		
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>				
✓	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
✓	<b>FTB Notice</b>				
					<b>Reviewed by: KT</b>
					<b>Reviewed on: 05/10/2007</b>
					<b>Updates:</b>
					<b>Recommendation:</b>
					<b>File 1 – Brown</b>

**Atty Kruthers, Heather H (for Petitioner Public Administrator)**

**(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) For Distribution**

<b>DOD: 8/28/2010</b>			<b>PUBLIC ADMINISTRATOR</b> , Administrator, is petitioner.			<b>NEEDS/PROBLEMS/COMMENTS:</b>		
			Account period: 1/4/11 – 3/14/13					
<b>Cont. from</b>			Accounting - <b>\$228,765.75</b>					
	<b>Aff.Sub.Wit.</b>		Beginning POH - <b>\$209,244.11</b>					
✓	<b>Verified</b>		Ending POH - <b>\$142,923.99</b>					
✓	<b>Inventory</b>		Administrator (statutory) - <b>\$7,549.63</b>					
✓	<b>PTC</b>		Administrator x/o - <b>\$2,248.00</b> (per					
✓	<b>Not.Cred.</b>		Local Rule for the sale of real and personal property and preparation of taxes)					
✓	<b>Notice of Hrg</b>							
✓	<b>Aff.Mail</b>	W/	Attorney (statutory) - <b>\$7,549.63</b>					
	<b>Aff.Pub.</b>							
	<b>Sp.Ntc.</b>		Bond (o.k.) - <b>\$1,143.84</b>					
	<b>Pers.Serv.</b>							
	<b>Conf. Screen</b>							
✓	<b>Letters</b>	2/2/11	Court fees (certified copies) - <b>\$76.50</b>					
	<b>Duties/Supp</b>							
	<b>Objections</b>		Closing - <b>\$500.00</b>					
	<b>Video Receipt</b>		<b>Distribution, pursuant to intestate succession, is to:</b>					
	<b>CI Report</b>							
✓	<b>9202</b>		Katherine Fairburn - <b>\$123,421.39</b>					
✓	<b>Order</b>							
	<b>Aff. Posting</b>					Reviewed by: KT		
	<b>Status Rpt</b>					Reviewed on: 5/10/13		
	<b>UCCJEA</b>					Updates:		
	<b>Citation</b>					Recommendation:		
✓	<b>FTB Notice</b>					File 2 – Brandon		



Atty Cunningham, Nikole E., of McCormick, Barstow (for Petitioner Michelle K. Johnson)  
 Atty Russo, Peter, sole practitioner (for Respondent Christine Reynolds)

**Petition for (1) Finding of Financial Elder Abuse (W & I C. 15610.30),  
 (2) Finding of Conversion, (3) Recovery of Estate Property (Prob. C. 850, et seq)**

<b>DOD: 10/3/2012</b>		<b>MICHELLE K. JOHNSON</b> , daughter, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner states:</b>	<p><b>Note:</b> Minute Order dated 2/21/2013 from the hearing on the <i>Petition for Letters of Administration</i> filed by Michelle Johnson states:          Mr. Russo is appearing for Christine Reynolds, a beneficiary. Mr. Russo informs the Court that he has just been retained and he is in possession of will and trust documents. Ms. Cunningham contests the will and trust indicated by Mr. Russo. Mr. Russo informs the Court that he will be filing a petition. Parties agree that this matter will be continued to the date agreed upon by all counsel once Mr. Russo's petition is filed.</p> <p><b>Note:</b> Court records do not show a petition has been filed by Mr. Russo as of 5/13/2013.</p> <ol style="list-style-type: none"> <li><i>Petition</i> is signed by the attorney, but is not verified by Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103. — Verification attached to Affidavit filed 4/9/2013.</li> <li>Need proposed order.</li> </ol>
		<ul style="list-style-type: none"> <li>Petitioner is the only child of the Decedent and is a resident of Carmel-by-the-Sea, Monterey County, California;</li> <li>Respondent <b>CHRISTINE REYNOLDS</b> is and was residing in Fresno County at all material times alleged herein; Ms. Reynolds was the caregiver for the Decedent during the last 3 years of his life and is not related by blood or otherwise to the Decedent;</li> <li>Petitioner is ignorant of the true names and capacities of Respondents sued as Does 1 through 20, inclusive, and therefore sues these Respondents by fictitious names; Petitioner will amend the <i>Petition</i> to allege Doe Respondents' true names and capacities when ascertained; Petitioner believe that each of the fictitiously named Doe Respondents are responsible in some manner for the occurrences alleged herein, and that Petitioner's damages were proximately caused by those Respondents;</li> <li>Decedent and Deloris Smith (DOD 3/4/2009) were married on 8/13/1953, and had only one daughter together, the Petitioner; Decedent and Deloris remained married until Deloris' death;</li> <li>During their marriage, Decedent and Deloris purchased a Farmers Insurance Agency and named the agency "George and Dee Smith Insurance";</li> <li>For ~15 years, Respondent worked on and off as a secretary in the Insurance Agency; during that time, Respondent would at times assist Decedent and Deloris around the house when they needed help with cleaning, laundry, and other errands;</li> </ul> <p align="center"><b>~Please see additional page~</b></p>	
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>	X	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>	W/	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	X	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Petitioner states, continued:

- In February 2009, Deloris became very ill and was hospitalized; immediately after hospitalization, Respondent suddenly moved into Decedent's home and began serving as his full-time caretaker;
- Deloris died on 3/4/2009, two weeks after Respondent moved into Decedent's home;
- Although Petitioner found it strange that Respondent suddenly moved into her parents' home, she was grateful that someone was there to take care of her father;
- After Deloris died, Respondent began to slowly alienate Decedent from his family and exercise her influence over him to keep his family away and isolate him;
- Respondent changed the locks on Decedent's house and began to monitor Decedent at all times; Respondent began screening Decedent's telephone calls and made sure to be present whenever Decedent's family came to visit; Petitioner alleges that Respondent even asked neighbors to contact her if anyone came to visit Decedent while Respondent was out of the house;
- After Respondent moved into Decedent's house, personal property and money within his home began to disappear; Petitioner alleges Respondent was stealing and/or misappropriating said personal property and money; Petitioner alleges that Respondent used the missing property as a means to place a wedge between Decedent and his family in an effort to further isolate him and control his decisions; Respondent's daughter and her daughter's boyfriend also moved into Decedent's house and further isolated him from his family;
- During the time period of Respondent's control over Decedent, Decedent was diagnosed with cancer and began receiving chemotherapy, and Decedent's health deteriorated further; Respondent did not inform Petitioner that Decedent was suffering from cancer and Petitioner found out about the diagnosis from a third party;
- After learning of Decedent's cancer diagnosis, Petitioner and her husband traveled to Fresno in order to spend time with Decedent; Petitioner was shocked to discover the impact the cancer and chemotherapy had on her father; Decedent appeared incoherent, slurred his speech, and seemed to be influenced significantly by his medications;
- Despite the fact that Respondent was supposed to be maintaining the house, Decedent's home was filthy and appeared as though it had not been cleaned for an extended period of time;
- Petitioner purchased cleaning supplies and proceeded to clean the house, and when Petitioner confronted Respondent's daughter regarding the state of the house, Respondent's daughter claimed that they cleaned the house every week; however, it was apparent that the house had not been cleaned in months;
- Respondent continued to further isolate Decedent from his family; at the same time, due to Decedent's declining health, he was no longer able to run and operate the Insurance Agency, and persons working at the Insurance Agency became suspicious of Respondent's conduct and apparent influence over Decedent;
- Decedent was forced to sell the Insurance Agency; as part of the agreement to sell the Insurance Agency, Decedent was to receive 3 installment payments amounting to **~\$50,000.00**;
- Petitioner was concerned with what she was observing and hearing from others, and Petitioner contacted the Fresno Police Department on 6/22/2012 and filed a report for elder abuse; it was at that time that Petitioner learned that Respondent's name now appeared on the Deed to Decedent's house;

*~Please see additional page~*

**Petitioner states, continued:**

- Shortly thereafter, on 10/3/2012, Decedent died and after his death Respondent remained living in Decedent's house; Respondent refused to grant Petitioner access to the house and would not permit Petitioner to remove her father's belongings that were contained within the house;
- Petitioner alleges Respondent had access to Decedent's bank accounts both during and after his death; in addition to the bank account funds, Petitioner alleges Respondent also converted at least a portion of the proceeds Decedent was to receive for the sale of the Insurance Agency; after Decedent's death, Respondent contacted the Farmers Insurance Agency, stated she was the executor of Decedent's estate, and demanded that she be given the final check owed to Decedent for the sale of the Insurance Agency.
- **First Cause of Action – Financial Elder Abuse:**
  - At all relevant times, Decedent was over the age of 65; for several years prior to Decedent's death, Respondent was a "care custodian" for Decedent within the meaning of Probate Code § 21363; during the time Respondent served as a care custodian for Decedent, Respondent took, secreted, appropriated and retained both real and personal property of Decedent for wrongful use and with the intent to defraud, or by way of undue influence;
  - Respondent took and appropriated personal property and money from Decedent, including but not limited to personal property within Decedent's house and proceeds from the sale of the Insurance Agency; Respondent fraudulently or by undue influence wrongfully obtained title to real property owned by Decedent that is located on Garden Avenue in Fresno;
  - Respondent's conduct constituted "financial abuse" within the meaning of Welfare & Institutions Code 15610.3(a) in that Decedent was an "elder" within the meaning of that section during the perpetration of the acts of Respondent upon him, and that Respondent took and appropriated Decedent's property in bad faith for a wrongful use and with intent to defraud, and diminished the resources available to Decedent for his care and support during his lifetime; Decedent was harmed by Respondent's depletion of his assets; Respondent's conduct constituted "financial abuse" within the meaning of Welfare & Institutions Code § 15610.3(c) in that Decedent was an elder within the meaning of that section during the perpetration of the acts of Respondent upon him, and that Respondent took an appropriated Decedent's property by undue influence as defined in Civil Code § 1575;
  - As a direct and proximate result of this financial elder abuse, Decedent and Petitioner suffered damages in an amount according to proof at trial; in addition, Petitioner is entitled to recover punitive damages and up to 3 times those punitive damages as alleged above, and is entitled to recover remedies provided for in Welfare & Institutions Code § 15756.5, including reasonable attorney's fees and costs as provided in § 15657.5.

***~Please see additional page~***

**Petitioner states, continued:**

• **Second Cause of Action – Conversion:**

- Both before and after Decedent's death, Respondent had access to real and personal property owned by Decedent; during that time, Petitioner alleges Respondent converted Decedent's money and personal property without his knowledge or consent, or by way of undue influence;
- Respondent wrongfully converted at least a portion of the proceeds from the sale of the Insurance Agency; additionally, Petitioner alleges that Respondent wrongfully converted personal property and money contained within Decedent's home
- Respondent's alleged conduct constituted conversion of Decedent's money and personal property for Respondent's personal use and consumption;
- Petitioner alleges that Respondent was not and is not entitled to the wrongfully converted property;
- As a direct and proximate result of such conversion, Decedent and Petitioner have suffered damages in an amount according to proof at trial.

• **Third Cause of Action – Recovery of Property Pursuant to Probate Code § 805:**

- Petitioner, as the sole daughter and heir of the Decedent, is a person who is interested in the Decedent's estate as a successor in interest to his property and a successor in interest to any cause of action possessed by Decedent at the time of his death;
- Respondent **CHRISTINE REYNOLDS** holds title and possession to certain real and personal property as follows: real property on Garden Ave. in Fresno; personal property of Decedent located within the home on the real property on Garden Ave.; proceeds from the sale of Decedent's Farmers Insurance Agency; and any other property, both real and personal, owned by Decedent at the time of his death;
- Petitioner claims the right to title and possession of the foregoing property as the successor in interest to Decedent's estate.

**Petitioner prays for an Order:**

1. On the First Cause of Action - Financial Elder Abuse:
  - (a) For consequential and special damages proximately caused by Respondent's acts of financial elder abuse occasioned upon Decedent, according to proof at trial;
  - (b) For Respondent to be deemed to have predeceased the Decedent for purposes of inheritance pursuant to Probate Code § 259;
  - (c) For a constructive trust compelling Respondent to transfer all wrongfully obtained property to Petitioner pursuant to Civil Code § 2223 and 2224;
  - (d) For punitive damages against Respondent in amounts according to proof at trial;
  - (e) For a treble award of damages against Respondent pursuant to Civil Code § 3345;
  - (f) For an award of attorney's fees and costs pursuant to California statute.

***~Please see additional page~***

**Petitioner prays for an Order, continued:**

2. On the Second Cause of Action – Conversion:
  - (a) For consequential and special damages proximately caused by Respondent's wrongful conduct amounting to conversion in an amount according to proof at trial;
  - (b) For a constructive trust compelling Respondent to transfer all wrongfully obtained property to Petitioner pursuant to Civil Code § 2223 and 2224;
  - (c) For punitive damages against Respondent in amounts according to proof at trial;
  - (d) For a treble award of punitive damages against Respondent pursuant to Civil Code § 3345;
  - (e) For an award of attorney's fees and costs pursuant to California statute.
  
3. On the Third Cause of Action – Recovery of Property:
  - (a) Directing Respondent to transfer to the Trust the property that was wrongfully removed from Decedent's estate and to execute any documents or file any court proceedings necessary in order to fully complete the transfer;
  - (b) Directing Respondent to immediately deliver possession to Petitioner of property that was wrongfully taken from Decedent;
  - (c) For statutory damages in the amount of twice the amount wrongfully taken by Respondent, pursuant to Probate Code § 859;
  - (d) For an award of attorney's fees and costs pursuant to California statute.

***Affidavit to Establish Successor in Interest for Commencement of Action on Behalf of Decedent was filed 4/9/2013 by Petitioner***, stating a proceeding is pending for administration of Decedent's estate but Petitioner is unable to pursue the administration due to the actions of the Respondent; and affirming that Petitioner is the Decedent's successor in interest as defined in California code of Civil Procedure § 377.1, and succeeds to the Decedent's interest in the action, and that no other person has a superior right to commence the action or proceeding or to be substituted for Decedent in the pending action or proceeding.



## Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 4/30/2001		<b>JERRY GHIDELLI, DEBORAH DANIEL, LINDA RUSS, GLORIA HAMILTON and BRENDA MACIEL</b> , children of the decedent, are petitioners.  40 days since DOD.  No other proceedings.  Decedent died intestate.  I & A - <b>\$90,261.00</b>  <b>Petitioners request</b> Court determination that Decedent's 2/15 interest in real property pass to them in equal shares pursuant to intestate succession.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. The inventory and appraisal is incomplete. It does not state whether or not this is all or a portion of the estate. <i>Note:</i> Inventory must contain all of the decedent's property as of the date of death.  2. Need property tax certificate.  3. Petitioners state the decedent's spouse died in 2008 and that her 1/15 <sup>th</sup> interest in the assets was disposed of by Order recorded 11/20/12 doc #2012-0168160. Since the decedent's spouse survived the decedent her estate would be entitled to an intestate share of decedent's estate. Probate Code §6401. – See additional page Declaration of Robert W. Gin filed on 4/22/2013	
Cont. from 042413				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			X
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT Reviewed on: 4/18/2013 Updates: Recommendation: File 5 - Ghidelli				

**Declaration of Robert W. Gin filed on 4/22/13 states** at the time of his death the decedent owned, as his sole and separate property, an undivided 1/5<sup>th</sup> interest in real property listed as parcels 1-5 of the inventory and appraisal. At the time of his death the decedent owned, as his sole and separate property an undivided 1/10<sup>th</sup> interest in certain mineral rights listed as parcels 6 and 7 of the inventory and appraisal. The decedent died intestate on April 30, 2001. As a result of his death, his spouse, Sharon Ghidelli, inherited an undivided 1/15<sup>th</sup> interest in the real property listed in the inventory and appraisal as items 1-5 and would also inherit an undivided 1/15<sup>th</sup> interest in the mineral rights listed on the inventory and appraisal as items 6 and 7.

Decedent's spouse subsequently died [in 2008] and her estate was probated in the State of Nevada and the State of Montana. Her undivided 1/15<sup>th</sup> interest in the real property and her undivided 1/30<sup>th</sup> interest in the mineral rights were addressed in her Nevada probate proceedings. An Order was entered disposing of the decedent's spouse's interest in the subject real property and mineral rights in the Nevada probate action and was recorded with the Fresno County Recorder on 11/20/2012.

The purpose of this proceeding is to have the court determine that the decedent's remaining interest in the real property and mineral rights.

**Minute Order dated 4/24/13** states later and at the Court's direction, the minute order is amended to reflect the following: Declaration filed on 4/22/2013 states at the time of the decedent death he owned an undivided 1/5 interest in real property and an undivided 1/10<sup>th</sup> interest in mineral rights, as his sole and separate property. Inventory and appraisal filed on 3/19/2013 inventoried a 2/15<sup>th</sup> interest in real property and a 1/15<sup>th</sup> interest in mineral rights as of the date of death. The inventory and appraisal must contain all the decedent's property as of his date of death. Therefore, the inventory must contain the 1/5 interest in the real property and the 1/10<sup>th</sup> interest in the mineral rights that the decedent owned as of his date of death. In addition, the Declaration filed on 4/22/2013 indicates the 1/3 interest in the decedent's property that would pass via intestacy to the surviving spouse has already passed to her heirs in her probate proceeding in Nevada. The surviving spouse's share of this decedent's estate was never properly passed to her in for it to be included in her estate proceedings. Therefore, the court will require an amended pleading to include 100% of the assets decedent owned as of the date of death, indicated on a corrected inventory and appraisal, and a request for distribution to all intestate heirs, i.e. surviving spouse and children.

A copy of the Minute Order dated 4/24/13 was mailed to attorney Robert Gin on 5/2/2013.

Atty Georgeson, C. Russell, of Georgeson, Belardinelli &amp; Noyes (for Petitioner Edmund Nolte, Jr.)

## Petition for Recovery of Trust Property and Account

		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>CONTINUED TO 5/20/2013</b>  Per Attorney request
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
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<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: LEG
		Reviewed on: 5/10/13
		Updates:
		Recommendation:
		File 6 – Nolte

**Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 9/1/2012	JULIE RAVISCIONI, daughter, is petitioner.
	All heirs waive bond.
Cont. from	
Aff.Sub.Wit.	Full IAEA – o.k.
✓ Verified	Decedent died intestate.
Inventory	
PTC	Residence: Fresno
Not.Cred.	Publication: Fresno Business Journal
Notice of Hrg	
✓ Aff.Mail      W/	
✓ Aff.Pub.	
Sp.Ntc.	
Pers.Serv.	
Conf. Screen	
✓ Letters	
✓ Duties/Supp	
Objections	
Video Receipt	
CI Report	
9202	
✓ Order	
Aff. Posting	
Status Rpt	
UCC/JEA	
Citation	
FTB Notice	

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: KT

Reviewed on: 5/10/13

Updates:

Recommendation: SUBMITTED

File 7 – Dupree

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.  
1820, 1821, 2680-2682)

Age: 74		<b>TEMP (ESTATE ONLY) EXPIRES 5-15-13</b>  <b>PUBLIC GUARDIAN</b> is Petitioner and requests appointment as Conservator of the Person and Estate. Petitioner also requests authority to sell the proposed conservatee's former residence and retain the services of a licensed real estate broker to assist in the sale, and to sell personal property no longer needed by the Conservatee.  <b>Voting rights NOT affected</b>  <b>Estimated Value of Estate:</b> Personal property: \$ 8,293.00 Annual income: \$ 11,412.00 Real property: \$ 100,000.00 Total: \$ 119,705.00  <b>Petitioner states</b> Mrs. Togo is currently residing at a skilled nursing facility due to a recent stroke. She is unable to properly care for herself. She requires a wheelchair to ambulate and requires 24-hour skilled nursing care. She is unable to manage activities of daily living without assistance. Conservatorship of the Person is necessary to ensure her care.  <b>Petitioner states</b> Conservatorship of her estate is also necessary because there appears to be confusion about her personal and financial affairs. Family members attempted to clean her home, but Mrs. Togo got upset with them. She allowed a friend and a "pastor" to drive her car, enter her home, and sell certain items. Some items were returned; however, some were sold. It was then learned that the pastor was convicted for false advertising, practicing medicine without a certificate, and selling medicine to treat and cure cancer. He is not a pastor, his father was, but he is using the title. Petitioner requests conservatorship of the estate to manage and protect Mrs. Togo's assets.  <b>Petitioner states</b> Deputy Public Guardian Renee Garcia spoke with Mrs. Togo regarding the proposed sales. Mrs. Togo objected to the proposed sales because she planned on returning home. Ms. Garcia explained that based on her income, she could not afford to pay for 24-hour in-home care and continue to pay her monthly mortgage. Mrs. Togo stated she wanted to return home, and did not comment either way if she objected or was in favor of liquidating her assets. Petitioner states the proceeds will be used for the benefit of the Conservatee.  <b>Court Investigator Jennifer Daniel filed a report on 5-8-13.</b>	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		w
	Conf. Screen		
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		

**NEEDS/PROBLEMS/COMMENTS:**

**Court Investigator advised rights on 5-3-13.**

**Reviewed by:** skc

**Reviewed on:** 5-10-13

**Updates:**

**Recommendation:**

**File 8 - Togo**

**9 Linda K. Anderson (Estate)**  
**Atty Dyer, Elizabeth (pro per – Co-Administrator)**  
**Atty Davis, Karen (pro per – Co-Administrator)**

**Case No. 12CEPR00097**

**Status Hearing Re: Filing of the First Account or Petition for Final Distribution**

<b>DOD: 11/10/11</b>		<b>ELIZABETH DYER and KAREN DAVIS,</b> daughters, were appointed as Co-Administrators without bond on 03/14/12 with Full IAEA authority. Letters of Administration were issued on 03/14/12.  <b>Inventory &amp; Appraisal filed 07/30/12 - \$385,742.50</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Account and Petition for Final Distribution.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF <b>Reviewed on:</b> 05/10/13 <b>Updates:</b> <b>Recommendation:</b> <b>File 9 – Anderson</b>